IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7125 OF 2004

Shri Vilas Baburao Jadhav ..Petitioner.

Versus

Mr. Mahadeo Dadu Jadhav & Ors. ..Respondents.

Mr. R.V. More for the Petitioner.

Dr. V.K. Choudhari with Vikas Kolekar for Respondent No.1.

Mr. A.A. Kumbhakoni, Additional Advocate General with D.A.Patil, AGP for Respondents 2 to 5.

CORAM : S. A. BOBDE, J.

DATED : 14TH JULY, 2005.

P.C.:

1. Rule, returnable forthwith.

2. Dr. Choudhari waives service of rule for the Respondent No.1. Mr. Patil waives service of rule on the Respondent Nos. 2 to 5.

3. Heard by consent.

4. Following order is passed by consent of the parties :-

ORDER

I. Leave to amend prayer clause. Amendment to be carried out forthwith.

II. The impugned order of the Minister dated 11th June, 2004 is set aside.

III. The dispute shall be decided by the District Deputy Registrar, Co-operative Societies, Sangli in accordance with the order dated 29.01.2000 of the Divisional Joint Registrar, Co-operative Societies, (Appeal) Pune Division, Pune.

IV. The question of registration of the society shall be decided by the District Dy. Registrar in accordance with the policy which is currently in force.

V. The Dist. Dy. Registrar shall decide the matter not later than six months from the date, the parties appear before him.

VI. Parties are directed to appear before the Dist. Dy. Registrar on 25th July, 2005.

VII. The Respondent No.1 shall not be restrained from functioning but its continuance will depend on the order of the District Dy. Registrar.

5. Rule is made absolute in the above terms.

14.07.2005 (S.A.BOBDE,J.)